

Michigan

Continuous Improvement Monitoring Process Improvement Plan

Quarterly Progress Report On Complaint Timelines

**Michigan Department of Education
Office of Special Education and Early Intervention Services**

**Submitted to the
U.S. Department of Education
Office of Special Education Programs**

March 31, 2003



Quarterly Progress Report
Area of Concern: Complaints completed within the timelines
March 31, 2003

Current Level of Performance:

Complaint Data

	12/01/02 to 02/28/03
Number of cases closed	52
Closed within timeline	35 (67.3%)
Closed beyond timeline	17 (32.7%)

Of the seventeen (17) cases closed beyond the timeline, the complaint case managers cited the following reasons (with multiple reasons in several cases):

- Number of cases when the ISD exceeded the timeline: 10
- Number of cases involving complexity: 7
- Number of cases involving numerous allegations: 1
- Number of cases involving FAPE priority of other cases: 9

Exceptional circumstances were cited by the complaint case managers for thirteen (13) of the fifty-two (52) cases closed within the timeline:

- Number of cases with hearing officer involvement: 4
- Number of cases when the ISD received timeline extension, with cause: 2
- Number of cases with additional time to file appeal (with no appeal): 6
- Number of cases with additional time to file appeal (with appeal): 0
- Number of cases with "other": 1

Explanation and Analysis of Progress to Date:

Percentage of Cases Closed within the Timeline Since 1999-2000

01/01/99 to 12/18/00	01/01/01 to 11/16/01	01/01/02 to 06/30/02	07/01/02 to 11/30/02	12/01/02 to 02/28/03
53.4%	60.2%	69.7%	74.2%	67.3%

The complaint timeline data had been demonstrating a pattern of continuous improvement. During this last quarter, however, the pattern reversed and compliance decreased from 74.2% to 67.3%.

The pattern of improvement the Office of Special Education and Early Intervention Services (OSE/EIS) has been able to demonstrate over the past four years is primarily due to improvement in use of options available under the IDEA regulations, but previously under-utilized. As the complaint case managers deepened their understanding of the options and implemented them consistently, the data improved. A qualitative comparison of the data that each complaint case manager recently submitted to the submissions of a year ago, indicate a deeper understanding of the options available under the regulations. Complaint case managers are now consistently documenting exceptional circumstances and insufficient reasons. A deepening understanding of compensatory education is also apparent.

Several factors appear to have led to the last quarter's implementation dip. They include:

The increased numbers of requests for state-level investigations. In nine (9) of the seventeen (17) cases that exceeded the timeline, complaint case managers cited the FAPE priority of other cases as a reason. This means that the case manager had too many cases to complete and decided to work on a more recent case, which had allegations of a denial of FAPE, rather than an earlier case.

The number of ISD investigation reports that exceed the timeline. Complaint case managers cited this as a reason for exceeding the timeline in ten (10) of the seventeen (17) cases. On February 27, 2003, the State Board of Education approved revised Complaint Procedures for Special Education. The OSE/EIS is training of ISDs on these new procedures in May 2003. It is hoped that this will improve the ISD response time to complaints.

The increased complexity of allegations. Complexity of the cases was cited as an insufficient reason for exceeding the timeline in seven (7) of the seventeen (17) cases that did not meet the timeline.

The current staff of complaint case managers have deepened their understanding and improved their consistency while, at the same time, they are receiving more cases that are more complex and systemic in nature. It appears that the only way to improve the data further is to increase the number of complaint case managers.

The State of Michigan is experiencing a budget crisis and has instituted a hiring freeze. The OSE/EIS had posted the complaint investigation before the hiring freeze went into effect, but was not approved to fill the positions. The OSE/EIS has filed an exemption from the hiring freeze specifically to hire two additional complaint investigators.